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| FORM PTO-1390 (Modified)<br>(REV 11-98)  |  | U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE |  | ATTORNEY'S DOCKET NUMBER<br><b>MBH-1314</b>   |  |
| <b>TRANSMITTAL LETTER TO THE UNITED STATES</b><br><b>DESIGNATED/ELECTED OFFICE (DO/EO/US)</b><br><b>CONCERNING A FILING UNDER 35 U.S.C. 371</b>  |  |   |  | U.S. APPLICATION NO. (IF KNOWN, SEE 37 CFR<br><div style="font-size: 1.5em; font-weight: bold;">09/720583</div> |  |
| INTERNATIONAL APPLICATION NO.<br><b>PCT/EP99/04416</b>   |  | INTERNATIONAL FILING DATE<br><b>25 June 1999</b>        |  | PRIORITY DATE CLAIMED<br><b>25 June 1998</b>  |  |
| TITLE OF INVENTION<br><b>Propionibacterium Vector</b>  |  |   |  |   |  |
| APPLICANT(S) FOR DO/EO/US<br><b>1) Pieter Hendrik Pouwels                      2) Nicole Van Louk</b><br><b>3) Johannes P. M. Jore                         4) Rudolf G. M. Lutten</b>  |  |   |  |   |  |
| Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:  |  |   |  |   |  |
| <ol style="list-style-type: none"> <li>1. <input checked="" type="checkbox"/> This is a <b>FIRST</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>2. <input type="checkbox"/> This is a <b>SECOND</b> or <b>SUBSEQUENT</b> submission of items concerning a filing under 35 U.S.C. 371.</li> <li>3. <input checked="" type="checkbox"/> This is an express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).</li> <li>4. <input checked="" type="checkbox"/> A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.</li> <li>5. <input checked="" type="checkbox"/> A copy of the International Application as filed (35 U.S.C. 371 (c) (2))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> is transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input checked="" type="checkbox"/> has been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> is not required, as the application was filed in the United States Receiving Office (RO/US).</li> </ol> </li> <li>6. <input type="checkbox"/> A translation of the International Application into English (35 U.S.C. 371(c)(2)).</li> <li>7. <input checked="" type="checkbox"/> A copy of the International Search Report (PCT/ISA/210).</li> <li>8. <input type="checkbox"/> Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371 (c)(3))           <ol style="list-style-type: none"> <li>a. <input type="checkbox"/> are transmitted herewith (required only if not transmitted by the International Bureau).</li> <li>b. <input type="checkbox"/> have been transmitted by the International Bureau.</li> <li>c. <input type="checkbox"/> have not been made; however, the time limit for making such amendments has NOT expired.</li> <li>d. <input type="checkbox"/> have not been made and will not be made.</li> </ol> </li> <li>9. <input type="checkbox"/> A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).</li> <li>10. <input type="checkbox"/> An oath or declaration of the inventor(s) (35 U.S.C. 371 (c)(4)).</li> <li>11. <input type="checkbox"/> A copy of the International Preliminary Examination Report (PCT/IPEA/409).</li> <li>12. <input type="checkbox"/> A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371 (c)(5)).</li> </ol> |  |   |  |   |  |
| <b>Items 13 to 20 below concern document(s) or information included:</b>   |  |   |  |   |  |
| <ol style="list-style-type: none"> <li>13. <input type="checkbox"/> An Information Disclosure Statement under 37 CFR 1.97 and 1.98.</li> <li>14. <input type="checkbox"/> An assignment document for recording. A separate cover sheet in compliance with 37 CFR 3.28 and 3.31 is included.</li> <li>15. <input checked="" type="checkbox"/> A <b>FIRST</b> preliminary amendment.</li> <li>16. <input type="checkbox"/> A <b>SECOND</b> or <b>SUBSEQUENT</b> preliminary amendment.</li> <li>17. <input type="checkbox"/> A substitute specification.</li> <li>18. <input type="checkbox"/> A change of power of attorney and/or address letter.</li> <li>19. <input checked="" type="checkbox"/> Certificate of Mailing by Express Mail</li> <li>20. <input checked="" type="checkbox"/> Other items or information:</li> </ol>  |  |   |  |   |  |
| <div style="border: 1px solid black; height: 100px; margin-top: 5px;"> <div style="padding: 5px;"> <b>Patent Data Sheet</b><br/> <b>Acknowledgement Postcard</b> </div> </div>   |  |   |  |   |  |

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| U.S. APPLICATION NO. (IF KNOWN) <b>h9/720583</b> | INTERNATIONAL APPLICATION NO.<br><b>PCT/EP99/04416</b> | ATTORNEY'S DOCKET NUMBER<br><b>MBHB00-1314</b> |
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21. The following fees are submitted:

**BASIC NATIONAL FEE ( 37 CFR 1.492 (a) (1) - (5) ) :**

- |  |                 |
|--|-----------------|
| <input type="checkbox"/> Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO and International Search Report not prepared by the EPO or JPO . . . . . | <b>\$970.00</b> |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but International Search Report prepared by the EPO or JPO . . . . .   | <b>\$840.00</b> |
| <input type="checkbox"/> International preliminary examination fee (37 CFR 1.482) not paid to USPTO but international search fee (37 CFR 1.445(a)(2)) paid to USPTO . . . . .  | <b>\$690.00</b> |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) but all claims did not satisfy provisions of PCT Article 33(1)-(4) . . . . .   | <b>\$670.00</b> |
| <input type="checkbox"/> International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provisions of PCT Article 33(1)-(4) . . . . .   | <b>\$96.00</b>  |

**ENTER APPROPRIATE BASIC FEE AMOUNT =**

**\$860.00**

Surcharge of **\$130.00** for furnishing the oath or declaration later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (e)).

**\$0.00**

| CLAIMS             | NUMBER FILED | NUMBER EXTRA | RATE      |          |  |
|--------------------|--------------|--------------|-----------|----------|--|
| Total claims       | 44 - 20 =    | 24           | x \$18.00 | \$432.00 |  |
| Independent claims | 2 - 3 =      | 0            | x \$80.00 | \$0.00   |  |

**Multiple Dependent Claims (check if applicable).**

**\$270.00**

**TOTAL OF ABOVE CALCULATIONS**

**\$1,562.00**

Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.9, 1.27, 1.28) (check if applicable).

**\$0.00**

**SUBTOTAL =**

**\$1.562.00**

Processing fee of **\$130.00** for furnishing the English translation later than ☐ 20 ☐ 30 months from the earliest claimed priority date (37 CFR 1.492 (f)).

**\$0.00**

**TOTAL NATIONAL FEE**

**\$1,562.00**

Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31) **(check if applicable)**.

**\$0.00**

**TOTAL FEES ENCLOSED**

**\$1,562.00**

Amount to be:  
refunded

|         |    |
|---------|----|
| charged | \$ |
|---------|----|

- ☒ A check in the amount of **\$1,562.00** to cover the above fees is enclosed.
- ☐ Please charge my Deposit Account No. \_\_\_\_\_ in the amount of \_\_\_\_\_ to cover the above fees.  
A duplicate copy of this sheet is enclosed.
- ☒ The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. **13-2490** A duplicate copy of this sheet is enclosed.

**NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.**

**SEND ALL CORRESPONDENCE TO:**

**Curt J. Whitenack**  
**MCDHONNELL BOEHNEN HULBERT & BERGHOFF**  
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**Suite 3200**  
**Chicago, Illinois 60606**

**SIGNATURE**

**Curt J. Whitenack**

NAME \_\_\_\_\_

**36.054**

REGISTRATION NUMBER

**December 22, 2000**

DATE \_\_\_\_\_

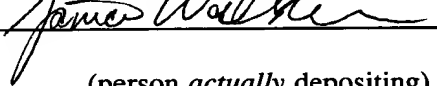
09/720583  
414 Rec'd PCT/PA 22 DEC 2000

**CERTIFICATE OF MAILING BY "EXPRESS MAIL"**  
(NEW PATENT APPLICATION)

Express Mail No. EL442912344US

Deposited December 22, 2000

I hereby certify that the attached correspondence, identified below, is being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" under 37 CFR § 1.10 on the date indicated above and is addressed to the Asst. Commissioner for Patents, Box PCT, Washington, DC 20231.

By:   
(person actually depositing)

Patent Application of: Pouwels, et al.

Title: Propionibacterium Vector

☒ Transmittal Letter to the DO/EO/US Concerning a Filing under 35 U.S.C. 371

(2

sheets)

☒ Preliminary Amendment (4 pages)

☒ Copy of the Published International Application No. WO 99/67356 (55 pages)

☒ Copy of the International Search Report (4 pages)

☒ Patent Application Data Sheet (2 sheets)

☒ Return Receipt Postcard

☒ Check in the amount of \$1,562.00

Attorney Docket No.: MBHB00,1314